

Signs & Facades

The Town's Sign and Zoning By-Laws regulate the size, placement and content of all signs on a building including letters or signs on windows and doors. Design review is administered in accordance with Planning Board design guidelines. There is a 30 day maximum time period from the date of the sign application for the Planning Board to make a decision regarding a sign proposal. Below are the steps in the sign approval process:

- Create plans for proposed sign/awning or façade alterations.
- Bring plans to the Planning Department for pre-review by staff.
- Apply for Planning Board design review. A meeting date will be set and a meeting notice mailed one week in advance.
- At the Planning Board meeting, the sign plans will either be approved, approved with conditions, or denied.
- If the proposed sign design is denied, the process starts over.
- If approved as submitted, a building permit for the sign may be obtained from the Building Department.
- If approved with conditions, when the conditions are met an approval memo will be issued by the Planning Department. A building permit for the sign may then be obtained from the Building Department.

In some cases, the Town's Preservation Commission will review proposed changes to a building's exterior facades. These changes might include, but are not limited to partial or total demolition, or the removal of exterior architectural elements that contribute to the historic character of the building.

Sign & Façade Loan Program

The Town offers a façade loan program to encourage businesses and property owners to make improvements to their commercial storefronts. Eligible improvements are limited to exterior fronts and sides of buildings including work that improves energy efficiency. Four year loans of up to \$10,000 are available at well below market rates.

For more information email amartineau@brooklinema.gov



Opening a Food Establishment

Process Overview

Updated March 2013



Selectmen's Office

Thank you for your interest in opening a food establishment in Brookline. We hope you find this guide informative and helpful in facilitating your application process. All food applications begin at the Selectmen's Office, and are then reviewed by the Police, Fire, Building, and Health Departments. Applications are also reviewed by the Parks and Transportation Divisions as appropriate.

Licenses issued by Selectmen's Office:

- Food Vendor - For restaurants that plan to offer only take out.
- Mobile Food Vendor— Food trucks and carts
- Common Victualler - For restaurants that plan to have customer seating on the premises, but may also offer take out service.
- Liquor - For establishments wishing to serve alcohol.
- Entertainment - Arcade machines, live entertainment, televisions, music, etc.
- Outdoor Seating for licensed food establishments.

Once all recommendations from the different departments have been returned to the Selectmen's Office, a hearing will be scheduled for final license approval. Ten days prior to the scheduled hearing, all abutters and area precinct members (Town Meeting members) will be notified by the Selectmen's Office that a hearing is scheduled. If a liquor license is requested, it will be advertised in the Brookline Tab, the Town's local news paper ten days prior to the hearing. If approval is granted by the Board, licenses will be released only after final walkthrough inspections have been completed by the Health and Building Departments.

- Exits – This critical life safety requirement is checked by the Fire Safety Department. Exits must be free and clear and hardware must be on the doors to allow for emergency egress. Operators may put alarms on these doors to avoid security issues.
- Heat producing equipment within the establishment, such as boilers and water heaters, will be checked to ensure that combustibles are not around them and that they are free and clear.
- Fees for above the approvals are on a sliding scale based on the size of the facility.



Planning & Community Development

The Planning and Community Development Department is committed to ensuring all commercial establishments thrive in Brookline. If a neighborhood group raises issues of concern, this department will assist the applicant in addressing those issues as best as possible prior to the public licensing hearing. The Economic Development and Planning Divisions will conduct neighborhood meetings where issues can be discussed and compromises reached.

For instance, applicants may be required to address neighborhood concerns such as installing odor control systems, adjusting delivery times, addressing littering and parking plans, and other neighborhood issues. This department also provides networking assistance to establishments seeking to become more involved in their neighborhood and in community-wide events.



Fire Department

The Fire Department has a number of requirements concerning public and structural safety issues an operator must address:

- The cooking environment must be protected by an auto extinguishing or “Ansul” system. This system must be approved prior to installation and then a pre-operational inspection will determine that all requirements have been met. Auto extinguishing systems must be checked every 6 months by an auto extinguishing company and retagged stating it has been charged within 6 months.
- In addition, establishments are required to have free standing fire extinguishers in specific locations. K extinguishers belong in kitchen cooking area, hung low by the exit, at least 4 inches off of the floor by an alarm pull station. ABC dry chemical fire extinguishers should be hung by the exit door in the front of the establishment in locations easily accessible to staff.
- Establishments with 50 or more seats are required to have a compliant fire alarm system by an approved company. This system includes: a fire alarm panel at grade level (by the front door), pull stations by the exits, and sounders/audible devices. It should also interface with the auto fire extinguisher. A fire detection system is recommended, but not required. Depending on the size of the establishment, an externally monitored alarm may be required.
- Establishments are required to install and maintain a cooking hood duct system. This system should be installed in compliance with Fire Department standards, so a plan must be submitted. In addition, the system should be cleaned and maintained by a certified cleaning company at least once every 6 months, and in some cases more frequently depending on the type of food operation. Equipment to be cleaned should include the hood, filters, and duct work all the way through to the ventilation fan on the roof.



Building Department

The Building Department has various requirements. An applicant must consider zoning, which specifies the number of seats allowed in an establishment, the number of parking spaces required for the establishment, and the types of businesses that are allowed at the proposed location. If the proposed establishment does not meet these requirements, the operator must petition the Zoning Board of Appeals for zoning relief, which can be a lengthy 3-6 month process. Therefore, we recommend meeting with the local Building Inspector *before* you sign a lease or formally apply to the Board of Selectmen to learn about the zoning issues that may apply to the proposed location.

- Operators must seek a building permit prior to any construction. To receive permit approval, building plans, designed by an architect, must be submitted to and approved by the Building Department. Please note that if certain construction cost thresholds are surpassed, additional upgrades may be required per ADA standards.
- Applicants should be sure to review the requirements for restrooms and ADA compliance issues with the Building Inspector.
- Upon building permit approval, inspections will be conducted during and upon completion of construction. If all conditions are met, a recommendation for license approval will be forwarded to the Selectmen’s Office.
- Applicants need to be aware that new signage and changes to exterior facades also have very specific requirements that always need approval from the Planning Board. Sign and façade review is also subject to a public meeting process.
- Establishments can get temporary signage approval from the Building Department (i.e. banners, temporary signs) prior to final sign approval by the Planning Board
- Permit fees vary depending on the size and scope of the permit requirements. Building, plumbing, wiring and mechanical permits are \$20.00 dollars per \$1,000 of construction work value with a minimum fee of \$50.



Health Department

In addition to Selectmen's licenses and meeting Building Department requirements, you are required to obtain permits from the Health Department. These permits include:

- Retail Food - A food establishment whose primary foods for sale are wrapped food products with no preparation involved. Please note, making coffee is considered food preparation.
- Food Service Establishment - The bulk of most applications. Food is prepared and consumed on premises or for take out.
- Catering - A licensed food service establishment that also performs full service catering off site.
- Limited Retail - This is a small establishment that may have a rack of displayed candies or snacks, all prepackaged.
- Temporary Food - A short term food event associated with a fair or festival, i.e. The Boston Marathon, Flag Day.
- Special Event - Multi-day, large scale public event, i.e., the U.S. Open or Ryder Cup.
- Mobile Food Facilities - Food facilities on trucks or carts are required to have a permit from the Health Department.

Additionally, the Health Department issues permits for residential kitchens. This does not require Board of Selectmen review, but does require Building Department approval for zoning review. Health Department permits are priced on a sliding scale, the cost depends on the size, seating capacity, and square footage of the establishment. The Health Department requires a set of building plans showing the proposed floor plan and equipment listing for the establishment. The Health Department will meet with each applicant and provide an orientation as to what is expected of all food operators. At that time the proposed plans or alterations are discussed.

Following the orientation, the Health Department issues a recommendation to the Board of Selectmen that the proposed establishment is worthy of the appropriate permit as well as a plan approval letter outlining any specific conditions for the establishment. These conditions can include: odor control systems for cooking equipment, appropriate signage for outside seating that is required to be non-smoking, as well as appropriate food safety and alcohol server certifications.

Note that as of December 1, 2013, polystyrene containers for food and beverage are not allowed. Polystyrene containers have the number 6 on them as depicted below.



The final step is a pre-operational inspection before the establishment can open. The Health Inspector is contacted by the operator and a final inspection is performed for the health permit and recommended issuance of the Board of Selectmen's license. It is important that the applicant retain all of the other department's pre-operational inspections as well.



Police Department

The Police Department provides a recommendation for any Board of Selectmen License. This recommendation will occur after the department reviews the proposed plans and type of establishment with the applicant. If seeking a liquor license, a more detailed background check and review of the license applicant, manager and alternate manager is required. The review process may include, but is not limited to, interviews, fingerprint-based CORI checks, as well as work and residential history inquiries. Fingerprint-based CORIs are required for ice cream truck and other mobile food vendors.